



June 3, 2004

Via Hand-Delivery and E-mail

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**Re: I/M/O Appropriate Utility Funding Allocation for the 2004 Clean Energy Program**

**I/M/O Comprehensive Energy Efficiency and Renewable Energy Resource Analysis**

**Docket Nos. EX03110946 and EX04040276**

Dear Secretary Izzo and Director Winka:

In its May 7, 2004 Order ("May 7 Order"), the Board of Public Utilities ("Board" or "BPU") directed each of the State's electric and gas utilities to respond to the following issues:

1. What is the current amount being collected in rates for each gas and electric utility: for the Clean Energy Program; and for legacy programs?
2. How should funds be allocated across the gas and electric utilities in the state for Clean Energy Programs?

3. Provide suggestions on how funding for new programs can be generated through the reallocation of funds from the expiration of past standard offer or similar commitments as set forth in N.J.S.A. 48:3-60a(3). [May 7 Order at 6].

Public Service Electric and Gas Company ("PSE&G" or "Company")

submits its response to Issues 1, 2 and 3 herein.

In addition, in the same Order, the Board identified nine issues on which it requested comments from interested parties. Issues 5 and 6 of that list are:

5. How should the funds be allocated across the gas and electric utilities in the state for the Clean Energy programs?
6. Provide suggestions on how funding for new programs can be generated through the reallocation of funds from the expiration of past standard offer or similar commitments as set forth in N.J.S.A. 48:3-60a(3). [May 7 Order at 4-5].

PSE&G's comments on these issues are addressed in the comments identified as Issues 2 and 3, respectively, below.

In the May 7 Order the Board also established a series of hearings/meetings to address specific topics. PSE&G's comments on the 2004 funding allocation, the subject of the June 8, 2004 hearing, are addressed in Issue 2 below. PSE&G's comments on the funding levels and allocation for the years 2005-2008 (August 5, 2004 hearing) are addressed in Issues 2 and 3 below. Mr. Gerald W. Schirra, Director – Rates and Regulation, will be present at the hearings on June 8 and August 5 to provide reply comments to the positions of other parties, if applicable, and to address questions on these topics from the Hearing Officer.

**ISSUE 1 – WHAT IS THE CURRENT AMOUNT BEING COLLECTED IN RATES FOR EACH GAS AND ELECTRIC UTILITY: FOR THE CLEAN ENERGY PROGRAM; AND FOR LEGACY PROGRAMS?**

The utilities met with Staff to develop the format and agree on the data to be provided in response to issue 1. The attached Table 1 shows the PSE&G portion of the data. PSE&G data is shown in two columns, one for the electric SBC and the other for the gas SBC. The columns are titled “PS-Electric” and “PS-Gas” respectively.

The PS-Electric DSM/SBC rate shown in the table is a weighted average of the DSM/SBC rates that vary by rate schedule to reflect different loss factors.

The 2003 Funding requirement is shown in this table pending the Board’s final decision on the funding requirement for 2004. On an interim basis, the Board has adopted the 2003 funding level and allocation for 2004.

Staff is currently compiling the 2003 costs for the New Jersey Clean Energy Program. These costs will include not only utility costs, but costs incurred by other program managers for programs not managed by the utilities. All of these costs are paid for by the DSM/SBC charges imposed on utility customers.

The lost revenues shown in the table were recorded and deferred by the company in 2003 for recovery through the DSM/SBC charge.

All of the costs shown in Table 1 are collected through the DSM/SBC charge. In addition, the current DSM/SBC charge includes an adjustment for prior period over- or under- recoveries.

## **ISSUE 2 – ALLOCATION OF STATEWIDE FUNDING TO EACH UTILITY**

On January 21, 2004, the Company filed its initial statement that included a recommendation on how to allocate the statewide funding requirement to each utility for 2004. The following restates and further refines that recommendation. In addition, the Board should use the same funding allocation methodology for years 2005-2008.

PSE&G sees this allocation as a two-step process:

1. Allocate statewide funding requirement between the electric utilities and the gas utilities; and
2. Allocate the electric funding requirement among the electric utilities and the gas funding requirement among the gas utilities.

### **Allocation Between Electric and Gas**

The first step is for the Board to determine the equitable allocation between the electric utilities and the gas utilities. This allocation should be based on total annual utility revenues, including commodity. Ideally, the commodity component of the revenues should also include a pro forma amount for commodity that is purchased from third party suppliers. Because the actual amount of revenues for third party suppliers is not known, a suitable proxy could be calculated using the electric BGS or the gas BGSS rates. The appropriate revenues to use are the revenues associated with the rate schedules that include the DSM component of the SBC. This method of allocating statewide funding between electric and gas utilities should result in similar percent impacts on the total bills of customers, whether they are electric or gas customers.

**Allocation Among Each Utility Within the Electric and Gas Sectors**

After setting the funding requirement for each of the two sectors, the statewide amount for electric utilities should be allocated among the electric utilities using the kWh sales subject to DSM cost recovery through the SBC. Similarly, the amount for gas utilities should be allocated using the therm sales subject to DSM cost recovery through the SBC.

The results of the allocation process should accomplish the goal of a uniform funding rate, including all electric DSM costs, for all of the electric utilities and a uniform funding rate, including all gas DSM costs, for all of the gas utilities. In this context, the calculation of the uniform funding rate should include the current expenditures for all energy efficiency and renewable energy programs, including those related to multi-year Standard Offer contracts and other similar programs. The Board has long-based its DSM programs on the concept that a utility's non-participants should contribute to the funding for DSM programs, because the non-participants enjoy the same societal benefits that the participants enjoy. It follows that the non-participants that happen to be in other utilities' territories also enjoy the same benefits. The same rationale applies equally to all DSM, energy efficiency, and renewable energy programs, whether or not they existed prior to the enactment of the Electric Discount and Energy Competition Act ("EDECA").

Therefore, the calculation of the uniform, statewide funding rate should include all DSM, energy efficiency, and renewable energy programs. However, this equity level of program cost funding should exclude other components of cost recovery, such as lost revenues and recovery of prior over/under deferred balances.

Some utilities will undoubtedly argue against their customers paying for another utility's commitments for legacy programs. PSE&G proposes that the Board maintain the recovery of Standard Offer and similar program costs within the utilities where the costs are presently being recovered. However, the Clean Energy Program funding requirement should be allocated across the utilities to achieve, as close as practical, a uniform per kWh or therm total funding rate across the utilities that includes both Standard Offer and similar program costs and Clean Energy Program costs. This would be accomplished initially by summing the Clean Energy Program costs and the Standard Offer and similar program costs, applying a uniform per kWh or therm allocation of the total, and then checking to assure that each utility, at a minimum, is funding the entire amount of its Standard Offer and similar program costs. If not, its cost allocation should be increased to achieve this result, with the excess dollars applied to reduce the Clean Energy Program funding responsibility of the other utilities. This goal of a uniform funding rate should be implemented as soon as possible and applied to the remaining months of the 2004 funding as well as for the 2005-2008 period.

The goal of equitable funding across the utilities cannot be overemphasized. All the people in the state of New Jersey enjoy the benefits of energy efficiency and renewable energy programs. These benefits include cleaner air and overall reduced costs of supply. Cleaner air does not limit itself to the territory of the utility whose customers fund the DSM programs. All the people living in New Jersey enjoy the cleaner air. Similarly, the reduced costs of electricity as a result of lower wholesale clearing prices from reduced demand, benefits the customers of all utilities, not just the customers that are funding the DSM programs through their utility's SBC. Consistent with the statewide nature of the Clean Energy Program, customer funding for all energy efficiency and renewable energy programs must be structured in a way that reflects the fact that all the people of the State benefit from these programs. To do otherwise would disproportionately assess these costs on certain customer groups.

### **ISSUE 3 – STATEWIDE FUNDING INCREASES RELATED TO EXPIRING STANDARD OFFER OR SIMILAR COMMITMENTS**

EDECA provides that as past Standard Offer or similar commitments expire, 50% of the associated cost decrease should be used to increase the statewide funding requirement for New Jersey Clean Energy programs until such time that the statewide funding requirement reaches \$140 million. *See* N.J.S.A. 48:3-60(a)(3). The use of expired Standard Offer or similar program commitments is to commence “[i]n each of the following fifth through eighth years ...” of the Program. *Id.*

The Company recommends the following approach to implementing this requirement. Starting with the total statewide Standard Offer or similar program costs in 2004, subtract the total statewide Standard Offer or similar program costs for the twelve months ending on the effective date of EDECA. If the result is negative, indicating a decrease in Standard Offer or similar program costs, then 50% of this amount should be added to the 2004 basic Funding Requirement of \$124,126,000 to determine the minimum Funding Requirement for 2005. If the result is not negative, then there is no statutory requirement to increase the 2005 funding requirement over 2004. *See* N.J.S.A. 48:3-60(a)(3). The same process should be repeated for each subsequent year until the total statewide funding equals \$140 million. Once the statewide funding reaches \$140 million, there is no further statutory requirement to increase statewide funding for the Clean Energy Program, regardless of how much the Standard Offer or similar program costs continue to decrease. *Id.*

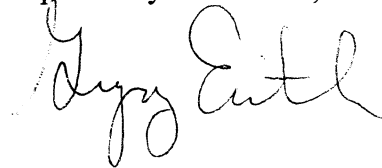
In deciding the amount that should be spent on energy efficiency and renewable energy programs, the Board should be mindful of the level of rates necessary to fund the programs. In spite of the environmental benefits of these programs, there is a limit on the amount that residential and commercial ratepayers are willing and able to pay.



**CONCLUSION**

PSE&G thanks the Board for the opportunity to comment on these important issues and will provide additional comments, as appropriate, at the Board's upcoming hearings and meetings on Clean Energy Program issues.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kristi Izzo", written in a cursive style.

C Attached Service List

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